



LOBSTER OPERATOR PERMIT TRANSFER PROVISIONS

Effective July 22, 2005, pursuant to Section 122(r)(1), Title 14, of the California Code of Regulations (CCR), any commercial fisherman with a valid Transferable Lobster Operator Permit (TLOP) may transfer his/her permit to any person, who is licensed as a California commercial fisherman, subject to the following conditions.

APPLYING TO TRANSFER A LOBSTER OPERATOR PERMIT

The following items must be submitted with the transfer request:

- A notarized letter from the permit holder requesting the transfer of the TLOP, which identifies the transferee.
- The original valid TLOP.
- A copy of the transferee's California Commercial Fishing License.
- Nonrefundable transfer fee of \$507.50. (\$500.00 Transfer fee plus \$7.50 nonrefundable surcharge). **If applying for a transfer of a TLOP from January 25, 2011 to March 31, 2011 the transfer fee is \$500.00. Beginning April 1, 2011 the transfer fee will be \$507.50.**

DEATH OF PERMITTEE

In the event of the death of the permit holder, the estate of the holder of a TLOP may renew that permit if needed to keep it valid. The estate of the decedent may transfer the TLOP not later than one year from the date of death of the permit holder as listed on the death certificate, pursuant to Section 122(r)(2), Title 14, of the CCR.

The estate must submit all of the following with the transfer request:

- A notarized written request that identifies the deceased permit holder and the transferee. The request must be within one year of the date of the death of the permit holder as listed on the death certificate.
- A court document naming the executrix of the estate.
- A copy of the death certificate.
- The deceased's original valid TLOP.
- A copy of the transferee's California Commercial Fishing License.
- Nonrefundable transfer fee of \$507.50. (\$500.00 Transfer fee plus \$7.50 nonrefundable surcharge). **If applying for a transfer of a TLOP from January 25, 2011 to March 31, 2011 the transfer fee is \$500.00. Beginning April 1, 2011 the transfer fee will be \$507.50.**

A Nontransferable Lobster Operator Permit, becomes null and void upon the death of the permittee, pursuant to Section 122(r)(3), Title 14, of the CCR.

NOTE: If the transferee is applying for the first time for a commercial fishing license they must provide valid identification as defined in Section 700.4. (See Section 700.4 Automated License Data System).

DEPARTMENT'S EVALUATION TIME FOR A TRANSFER OF A TLOP

Evaluation of the transfer request may be completed within 20 business days after receipt by the License and Revenue Branch provided additional documentation is not required. If approved, a letter authorizing the transfer will be sent to the permittee and the reissued TLOP will be mailed to the transferee to complete the transfer process.

APPEAL PROVISIONS AND DEADLINE

If denied, the Department will notify the permittee in writing, explaining the reason for denial. The permittee has the right to appeal such denial to the Fish and Game Commission. Pursuant to Section 122(f), Title 14, of the CCR, appeals must be received by the Commission within 60 days of the Department's denial.

If you have any questions regarding the transfer process, please contact Ms. Vandella Campbell, License and Revenue Branch, at (916) 928-5816 or via e-mail at vcampbell@dfg.ca.gov.

Mail documents and transfer fee to:

California Department of Fish and Game
License and Revenue Branch
1740 N. Market Blvd.
Sacramento, California 95834
Attn: Vandella Campbell

TITLE 14, CALIFORNIA CODE OF REGULATIONS EXCERPTS

§ 122. LOBSTERS, PERMITS TO TAKE.

(f) Procedures and Deadline for Permit Renewal.

Applications for renewal of transferable and non-transferable lobster operator permits must be received by the department or if mailed, postmarked not later than April 30 of each year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2. Any person denied a permit under these regulations may request a hearing before the commission to show cause why his/her permit request should not be denied. Such request must be received by the commission within 60 days of the department's denial.

(r) Procedures, Timelines on Permit Transfers.

(1) The holder of a valid transferable lobster operator permit that has not been suspended or revoked may transfer his/her permit to another person licensed as a California commercial fisherman. The application to transfer a permit shall be in the form of a notarized letter from the existing permit holder identifying the transferee and shall include the original transferable lobster operator permit, a copy of the transferee's commercial fishing license and a nonrefundable permit-transfer fee as specified in Section 705. The application shall be submitted to the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834. The transferable lobster operator permit shall be valid for the remainder of the current lobster season and may be renewed in subsequent years pursuant to these regulations. If the transferee holds a non-transferable lobster operator permit, that permit shall be cancelled.

(2) The estate of the holder of a transferable lobster operator permit may renew that

permit as provided for in these regulations if needed to keep it valid. The estate of the decedent may transfer that permit pursuant to these regulations no later than one year from the date of death of the permit holder as listed on the death certificate.

(3) Upon the death of the individual to whom a non-transferable Lobster Operator Permit is issued, the permit shall become null and void.

§ 700.4. AUTOMATED LICENSE DATA SYSTEM.

b) Any applicant applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:

- (1) any license document or identification number previously issued via ALDS
- (2) a valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile
- (3) US Birth Certificate
- (4) US Certificate or Report of Birth Abroad
- (5) INS American Indian Card
- (6) Birth Certificate or passport issued from a US Territory
- (7) US Passport
- (8) US Military Identification Cards (Active or reserve duty, dependent, retired member, discharged from service, medical/religious personnel)
- (9) Certificate of Naturalization or Citizenship.

(c) Any applicant less than 18 years of age applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:

- (1) Any form of identification described above; or
- (2) A parent or legal guardian's identification as described above.

§ 704. MISCELLANEOUS FORMS, PERMITS AND FEES.

All licenses, tags, permits, reservations or other entitlements purchased via the Automated Data License System (ALDS) will be subject to a three percent nonrefundable surcharge, not to exceed seven dollars and fifty cents (\$7.50) per item, to pay the department's costs for issuing that license, tag, permit, reservation or other entitlement.

§ 705. COMMERCIAL FISHING APPLICATION, PERMITS, TAGS AND FEES.

(b)(1) Lobster Operator Transfer Fee \$500.00.

(d) Pursuant to the provisions of Section 699, Title 14, the department shall annually adjust the fees of all license, stamps, permits, tags, or other entitlement required by regulations set forth in this section.

(Rev. 1/24/11)